

DFARS Procedures, Guidance, and Information

PGI 250—Extraordinary Contractual Actions

PGI 250.3—CONTRACT ADJUSTMENTS

PGI 250.305 Processing cases.

(1) The officer or official responsible for the case shall forward to the contract adjustment board, through departmental channels, two copies of the following:

(i) A letter stating—

(A) The nature of the case;

(B) The basis for the board's authority to act;

(C) The findings of fact essential to the case (see FAR 50.304). Arrange the findings chronologically with cross-references to supporting enclosures;

(D) The conclusions drawn;

(E) The recommended disposition; and

(F) If contractual action is recommended, a statement by the signer that the action will facilitate the national defense.

(ii) The contractor's request.

(iii) All evidentiary materials.

(iv) All endorsements, reports and comments of cognizant Government officials.

(2) A letter to the Board recommending an amendment without consideration where essentiality is a factor (see FAR 50.302-1(a)) should also provide—

(i) The information required by FAR 50.304(a) and (b), and

(ii) Findings as to—

(A) The contractor's performance record, including the quality of product, rate of production, and promptness of deliveries;

(B) The importance to the Government, particularly to the active duty military, of the performance of the contract and the importance of the contractor to the national defense;

(C) The forecast of future contracts with the contractor; and

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(D) Other available sources of supply for the supplies or services covered by the contract, and the time and cost of having contract performance completed by such other sources.

PGI 250.306 Disposition.

(1) When the request for relief is denied or approved below the Secretarial level, submit the following documents to the appropriate office within 30 days after the close of the month in which the decision is executed:

- (i) Two copies of the memorandum of decision.
 - (ii) Except for the Army, one copy of the contractual document implementing any decision approving contractual action.
 - (iii) One copy of a final record, as described at PGI 250.105.
- (2) When a contract adjustment board decision is implemented, the activity that forwarded the case to the board shall prepare and submit to the board the documents identified in paragraphs (1)(ii) and (iii) of this section.